

Grant County Planning Commission

October 24th, 2005

The October 24 2005 regular meeting of the Planning Commission was called to order by Chairman John Lawrence at 7:00 p.m.

Those in attendance: John Lawrence, Vernon Webster, Marvin Faulkner, Marlon Kinsey, Brooke Rider, Dan Bates, William Covington, Nick Kinman, Howard Brewer, Attorney: Tom Nienaber, Engineer: Ray Erpenbeck, Becky Ruholl

There was a quorum present.

ITEM 1: MINUTES

September 26th

Vernon Webster made a motion to approve the September meeting minutes, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

October 3rd

Howard Brewer made a motion to approve the October 3rd meeting minutes, Marlon Kinsey seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 2: SEPTEMBER FINANCIAL REPORT

Howard Brewer made a motion to approve the September financial report, Vernon Webster seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 3: ADMINISTRATORS REPORT

Becky Ruholl stated that the Commission normally does not have a December meeting and they would need to decide if they would like to have a meeting this year.

William Covington made a motion to cancel the Commissions December meeting, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Mr. Nienaber addressed the Commission concerning a law suit filed by Mago Construction. He stated that the Commission had been named in that suite but they had since been dismissed from the filing.

ITEM 4: MAP AMENDMENT - Beach

APPLICANT: Lowell Beach

GENERAL LOCATION: Located at 7930 Warsaw Road, Dry Ridge, KY 41035

REQUEST: Agricultural - One (A-1) to Rural Residential (R-R).

Chairman John Lawrence declared the public hearing open.

Mr. Beach stated that he was going to sell 27 acres from the farm and was going to tear down the home on this 3 acres and build a new one.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Becky Ruholl read the recommendation which was approval of the application based on the findings of fact 1. the request is in conformance with the current adopted Comprehensive Plan a. the Comprehensive Plan Goals and Objectives states that farms and farming activities should be maintained, and that appropriate rural residential development should occur. B. the applicant has requested a map amendment for the purposed of creating a lot for an existing house, which is to be replaced.

Howard Brewer made a motion to recommend to Fiscal Court to approve the request based on the facts stated in the staff recommendation that the request is in conformance with the Comprehensive Plan, Vernon Webster seconded the motion. A roll call vote was taken: Vernon Webster: yes, Marvin Faulkner: yes, Marlon Kinsey: yes, Brooke Rider: yes, Dan Bates: yes, William Covington: yes, Nick Kinman: yes, Howard Brewer: yes. Motion passes.

ITEM 5: MAP AMENDMENT - Simpson

APPLICANT: Craig Simpson

GENERAL LOCATION: On the West side of Frontage Road #9A (Duncan Drive) approximately 0.2 miles north of Crittenden Mt. Zion Road, Dry Ridge, KY 41035

REQUEST: Agricultural - One (A-1) to Rural Residential (R-R).

Chairman John Lawrence declared the public hearing open.

Mr. Simpson said that the request was to rezone 9 acres from A1 to RR. He said that the land was going to be divided into 3 lots with stick built homes.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

William Covington asked if the homes would be on sewer or septic. Mr. Simpson said that they would be on septic.

Becky Ruholl read the recommendation which was approval based on the following facts: 1. the request is in conformance with the current adopted Comprehensive Plan A. Duncan drive is just south of the city of Crittenden, west of I75, and is within a quarter mile of Indian Hills Subdivision. B. the Comprehensive Plan recommends growth occurs in areas where infrastructure exists, or is expected to be developed, or can be easily expanded. C. the City of Crittenden Future Land Use Map designates the future land use for the subject property as being "low-density residential"

Marvin Faulkner made a motion to recommend approval of the request based on the finding of fact in the staff recommendation that the request is in compliance with the Comprehensive Plan, Howard Brewer seconded the motion. A roll call vote was taken: Vernon Webster: yes, Marvin Faulkner: yes, Marlon Kinsey: yes, Brooke Rider: yes, Dan Bates: yes, William Covington: yes, Nick Kinman: yes, Howard Brewer: yes. Motion passes.

ITEM 6: MAP AMENDMENT - Webster

APPLICANT: Jaime Webster

GENERAL LOCATION: On the west side of Meeks Road, 0.5 miles south of Kentucky Route #22, Dry Ridge, KY

REQUEST: Agricultural One (A-1) to Neighborhood Commercial (NC).

Vernon Webster excused himself from all discussion and voting.

Chairman John Lawrence declared the public hearing open.

Steve Howe, attorney representing the applicant, stated that the request was to rezone the property from A1 to NC. He said that Dry Ridge had amended their zoning ordinance to allow shipping and warehousing in the NC zone. He said that the Concept Development Plan that was submitted is to construct a warehouse for the Quatros building. He said that the zone of the property now is not appropriate. He said that Meeks Road is close to the I75 exit and has good access. He said that there are currently other businesses along Meeks Road which is being developed more as Commercial instead of Residential.

Chairman John Lawrence asked if anyone wished to speak for or against the request.

Charlie Phillips stated that he lived next to the property and thinks that this request is appropriate for the property and though it was very good to have this type of business in Dry Ridge.

Chairman John Lawrence declared the public hearing closed.

Becky Ruholl read the recommendation which was for approval of the request based on the following facts: 1. There have been major changes of an economic, physical, or social nature within the area involved which were not

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anticipated in the adopted comprehensive plan and which have substantially altered the basic character of the area. A. Meeks Road is very close to the Dry Ridge exit of I-75, giving this location exceptionally good access for trucking and warehousing firms, such as, towing and used auto parts, farm supply, and even a bingo hall. B. Access and transportation issues have been the determining factor for the development of the Meeks Road area. C. The current Comprehensive Plan foresaw residential development for this area, which has not occurred in the four years since the adoption of the updated plan. 2. The requested zoning is more appropriate than the existing zoning. A> Meeks Road is adjacent to I-75, and is developing with businesses B. The area is zoned for agricultural land uses C. There is more non-agricultural land use activity surrounding the subject property than there is agricultural land use. D. The subject property is less than 10 acres and will no longer support an economically viable farming operation

Marvin Faulkner made a motion to recommend approval of the request based on the finding of fact in the staff recommendation that the proposed zoning is more appropriate than the existing zoning, Dan Bates seconded the motion. A roll call vote was taken: Marvin Faulkner: yes, Marlon Kinsey: yes, Brooke Rider: yes, Dan Bates: yes, William Covington: yes, Nick Kinman: yes, Howard Brewer: yes. Motion passes.

ITEM 7: CCS PROPERTIES SITE PLAN

This item will be heard in November

ITEM 8: CRITTENDEN BUILDERS SUPPLY - SITE PLAN

Steve Howe stated that they are wanting to build a 3 sided shelter to house the lumber currently out in the open. He said that the building is shown to be built on the Rail Road Property but there is an agreement between Crittenden Builders Supply and the Rail Road stating that they can build the building within that right-of-way.

Marvin Faulkner asked if it would be inclosing the material that is currently outside. Mr. Howe said that it would.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plan.

Marvin Faulkner made a motion to approve the plan, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 9: EAGLE CREEK ESTATES SECTION 2 - FINAL PLAT

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat with the following condition: 1. the developer post a bond with the Planning Commission to cover the cost of all uncompleted improvements plus 15% based on an estimate to be provided by the developers engineer and approved by the Planning Commission engineer.

Logan Murphy stated that they had everything done but the asphalt base and they had hoped to have the bond tonight. He said that they wanted to have the asphalt base down before posting the bond and said that they would agree to posting the bond after the asphalt base was approved.

Nick Kinman made a motion to approve the plat with the condition that the bond is placed and approved by Mr. Nienaber and Mr. Erpenbeck and the final plat is not signed until the bond is posted and approved, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 10: LEXINGTON TRAILS PHASE 2 SECTION 2 - FINAL PLAT

Logan Murphy stated that everything was done but the street had not been cored yet. He said that after that is done they will provide the estimate and post the bond.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat with the following condition: 1. the developer post a bond with the Planning Commission to cover the cost of all uncompleted improvements plus 15% based on an estimate to be provided by the developers engineer and approved by the Planning Commission engineer.

Ray Erpenbeck said that after they take the core then they will provide him with an estimate of the remaining improvements.

Howard Brewer asked if this would provide enough money to cover the cost due to the high cost of black top. Mr. Erpenbeck stated that based on the current prices this would be more than enough the cover the cost.

Nick Kinman made a motion to approve the plat with the condition that the bond is placed and approved by Mr. Nienaber and Mr. Erpenbeck and the final plat is not signed until the bond is posted and approved, Marlon Kinsey

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seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 11: BRENTWOOD SUBDIVISION PHASE 5 - IMPROVEMENT PLAT

Logan Murphy stated that this plat shows 62 lots in Brentwood subdivision.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the improvement plat.

Howard Brewer asked if this was the Ecklar farm. Mr. Murphy said that it was.

Howard Brewer asked if this went close to I-75. Mr. Murphy said that it was about 1500 feet from I-75.

Howard Brewer stated that there was talk of the Bypass crossing this property and the end of this ridge. He asked if the developer should go ahead and provide right-of-way to prevent the State from having to purchase property in the future. Mr. Murphy said that he has seen the drawing but he wasn't sure if it was planned in this area. Mr. Brewer said that he didn't want the State to have to condemn property and asked Mr. Erpenbeck if he saw a problem with this. Mr. Erpenbeck stated that there was a condition placed on the Preliminary Plat requiring the developer to provide right-of-way through some specific lots and that right-of-way is shown on this plat.

Howard Brewer said that the drawing of the bypass shows the road going up Stewart Lane then through this farm. Mr. Murphy said that they have provided 50 feet of right-of-way and a 250 foot construction easement as required by the condition on the Preliminary Plat. Mr. Erpenbeck stated that right-of-way and construction easement does meet the condition placed at the time of the Preliminary Plat.

Vernon Webster asked what adjoining property was next to the cul-de-sac. Mr. Murphy said it was the property behind Wal-Mart. Mr. Webster asked whose property was across from Stephens Court. Mr. Murphy said it was owned by the Dry Ridge Housing Authority. Mr. Webster asked if this property touched Kings Heights. Mr. Murphy said that it did not.

William Covington asked if there was only one way out of this subdivision onto Hwy. 25. Mr. Murphy said that was correct.

Dan Bates asked if there were street lights in this section. He said that there street lights in the beginning of this subdivision but as you went back there were not lights. Ray Erpenbeck said that the Subdivision Regulations require street lights only if the City has an Ordinance requiring them and he did not think that the City of Dry Ridge had an Ordinance.

Dan Bates made a motion to approve the plat with the condition that if the City has an Ordinance require street lights they be put in at the cost of the developer, Marvin Faulkner seconded the motion. A hand vote was taken, Vernon Webster: yes, Marvin Faulkner: yes, Marlon Kinsey: yes, Brooke Rider: yes, Dan Bates: yes, William Covington: no, Nick Kinman: yes, Howard Brewer: yes. Motion passes.

ITEM 12: HEARTLAND MEADOWS - PRELIMINARY PLAT

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat

Logan Murphy stated that this was recently rezoned to R1E and the City of Dry Ridge was in the process of annexing his property.

William Covington asked why the street was a dead end into the adjoining property. Mr. Murphy said that was requesting by Mr. Erpenbeck to provide for future development.

Vernon Webster made a motion to approve the plat, Howard Brewer seconded the motion.

Dan Bates asked if there were street lights planned for this development. Mr. Erpenbeck said that they were required only when the Legislative Body required them.

Howard Brewer stated that the Fiscal Court requires them and in the past a developer approached the County about them in a Subdivision and they were denied.

Vernon Webster amended his motion to state that he recommended approval of the plat with the condition that street lights be put it at the cost of the developer if they are required by the Legislative Body, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 13: KINGS CROSS ESTATES - PRELIMINARY PLAT

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat with the following conditions: 1. the zoning be changed to R-1B from its current Zoning Classification 2. Ayden Lane be identified as a sub-collector from Cynthiana Street to the intersection with Helmsley Way.

Ray Erpenbeck stated that the street had been changed and was shown on the updated plat.

Chairman John Lawrence read a letter from Jeffrey Shipp stating that the City had withdrawn its appeal in the matter of Civil Action NO. 04-c1-00145 in Grant Circuit Court and the issue had been resolved between the City and Kings Cross. It said that the property was now zoning R-1B.

Chairman John Lawrence read a letter from Douglas Beckham stating that the City of Williamstown has sufficient water supply to accommodate the Kings Cross Estates.

Chairman John Lawrence read a letter from Douglas Beckham stating that the City of Williamstown's Wastewater Treatment Plan has sufficient capacity to accept the waste water from Kings Cross

Dan Bates asked if there would be any variances required in the subdivision. Logan Murphy stated that there would not be any required.

Dan Bates asked what was planned for the recreation areas. Logan Murphy said that the plat showed green space and there were plans for playgrounds, walking trails and possibly the detention pond if it was a wet detention pond could be used as a lake. Dan Bates said he would be concerned that young children would be playing around the wet detention area. Mr. Murphy said that if there was a significant slope then the regulations required that a fence be placed around the area.

Nick Kinman made a motion to approve the plat, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 14: CONVEYANCE PLATS - SEPTEMBER

William Covington made a motion to approve the September Conveyances, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 15: EXECUTIVE SESSION

none

ITEM 16: OTHER BUSINESS

Charlie Phillips asked if he had heard right that Mr. Linden Smith was now doing some work for the Commission. Chairman John Lawrence stated that was correct. Mr. Phillips stated that he and the League of Kentucky Property Owners would object to having Mr. Smith do any work with the Commission.

ITEM 17: ADJOURNMENT

Dan Bates made a motion to adjourn, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

JOHN LAWRENCE, CHAIRMAN - DATE

NICK KINMAN, SECRETARY - DATE

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